

**PLANNING COMMISSION AGENDA**  
**CITY OF NEWPORT BEACH**  
**COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD**  
**Thursday, April 21, 2011**  
**Regular Meeting - 6:30 p.m.**

**EARL MCDANIEL**  
**Chairperson**

**ROBERT HAWKINS**  
  
**CHARLES UNSWORTH**  
  
**BARRY EATON**

**FRED AMERI**  
  
**MICHAEL TOERGE**  
  
**BRADLEY HILLGREN**

**Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:**

**JAMES CAMPBELL, Acting Planning Director**  
**PATRICK ALFORD, Planning Manager**  
**GREGG RAMIREZ, Senior Planner**  
**MARLENE BURNS, Administrative Assistant**

**LEONIE MULVIHILL, Assistant City Attorney**  
**TONY BRINE, City Traffic Engineer**  
**MELINDA WHELAN, Assistant Planner**

**NOTICE TO THE PUBLIC**

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. Staff reports or other written documentation have been prepared for each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Community Development Department, Planning Division staff at (949) 644-3200. The agendas, minutes and staff reports are also available on the City's web site at: <http://www.newportbeachca.gov>.

This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or [lbrown@newportbeachca.gov](mailto:lbrown@newportbeachca.gov)).

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

**APPEAL PERIOD:** Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

**NEWPORT BEACH PLANNING COMMISSION AGENDA**  
**Council Chambers – 3300 Newport Boulevard**  
**Thursday, April 21, 2011**  
**REGULAR MEETING**  
**6:30 p.m.**

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. PUBLIC COMMENTS**

*Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to 3 minutes. Before speaking, please state your name for the record and print your name on the tablet provided at the podium.*

- E. REQUEST FOR CONTINUANCES**
- F. CONSENT ITEMS**

**ITEM NO. 1** Minutes of April 7, 2011

**ACTION:** Approve and file.

- G. PUBLIC HEARING ITEMS**

**ALL TESTIMONY GIVEN BEFORE THE PLANNING COMMISSION IS RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS.** (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.) Please print only your name on the pad that is provided at the podium.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Community Development Department, Planning Division located at 3300 Newport Boulevard, during normal business hours.

**ITEM NO. 2** Gina's Pizza Minor Use Permit (PA2011-006)  
3142 Balboa Boulevard

**SUMMARY:** A minor use permit to allow a food service, eating and drinking establishment with no late hours, an outdoor dining area, and a Type 41 (On Sale Beer and Wine, Eating Place) Alcoholic Beverage Control (ABC) license.

**CEQA COMPLIANCE:** The project is categorically exempt under Section 15303, of the California Environmental Quality Act (CEQA) Guidelines - Class 3 (New Construction or Conversion of Small Structures). The Class 3 exemption includes a store, motel, office, restaurant, or similar structure not involving significant amounts of hazardous substances, and not exceeding 2,500 square feet in floor area.

**ACTION:**

- 1) Conduct public hearing; and
- 2) Adopt Resolution No. \_\_\_\_ approving Minor Use Permit No. UP2011-002 subject to the findings and conditions in the attached Draft Resolution.

**H. NEW BUSINESS**

**I. STAFF AND COMMISSIONER ITEMS**

**ITEM NO. 3** Planning Director's report.

**ITEM NO. 4** Planning Commission reports.

**ITEM NO. 5** Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

**ITEM NO. 6** Request for excused absences.

**ADJOURNMENT**